

AMENDED IN SENATE JULY 23, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 80

Introduced by Assembly Member Blakeslee

December 19, 2008

An act to amend Section 115841 of the Health and Safety Code, relating to reservoirs.

LEGISLATIVE COUNSEL'S DIGEST

AB 80, as amended, Blakeslee. Reservoirs: recreational use.

Existing law prohibits the recreational use of reservoirs where water is stored for domestic use and defines recreational use for this purpose to include recreation in which there is bodily contact with the water by a participant. Existing law exempts certain reservoirs from this prohibition, including, but not limited to, Nacimiento Reservoir, and sets forth conditions and restrictions to ensure water purity. Existing law imposes water treatment requirements on an agency that removes water from the Nacimiento Reservoir that must be completed prior to its domestic use.

~~This bill would exempt Lopez Lake Reservoir from this prohibition if certain conditions are met. This bill also would permit an agency that removes water from either the Nacimiento Reservoir or Lopez Lake Reservoir to use specified alternative filtration systems to satisfy the water treatment requirement.~~

This bill would impose additional minimum water treatment requirements that must be met by the agency removing water from that reservoir. This bill would also allow the entity operating the water supply reservoir or the department to subject the recreational use to additional conditions and restrictions. By imposing additional

requirements upon a local agency. This bill would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 115841 of the Health and Safety Code
2 is amended to read:
3 115841. Recreational activity in which there is bodily contact
4 with the water by any participant shall continue to be allowed in
5 Nacimiento Reservoir and Lopez Lake Reservoir in accordance
6 with all of the following requirements:
7 (a) Any agency that removes water from either the reservoir for
8 domestic use shall comply with any, or at a minimum, one of the
9 following with regard to the water removed:
10 (1) (A) The water subsequently receives complete water
11 treatment in compliance with all applicable department regulations,
12 including coagulation, flocculation, sedimentation, filtration, and
13 disinfection, ~~or an alternative filtration system that complies with~~
14 ~~all applicable department regulations and requirements, before~~
15 ~~being used for~~ before being used for domestic purposes. The
16 treatment shall, at a minimum, comply with all state laws and
17 department regulations and all federal laws and regulations,
18 including, but not limited to, the federal Environmental Protection
19 Agency Long Term 2 Enhanced Surface Water Treatment Rule.
20 Nothing in this division shall limit the state or the department from
21 imposing more stringent treatment standards than those required
22 by federal law.
23 (B) Disinfection at the Paso Robles treatment facility shall
24 include, but not be limited to, an advanced technology capable of
25 inactivating organisms, including, but not limited to, viruses,

1 *cryptosporidium, and giardia, to levels that comply with*
2 *department regulations. The treatment may include, but not be*
3 *limited to, ozonation or ultraviolet disinfection.*

4 (2) The water is discharged in a manner that allows percolation
5 into a subsurface groundwater basin for subsequent extraction
6 from only those groundwater wells that have been determined by
7 the department not to be under the influence of surface water
8 pursuant to Chapter 17 (commencing with Section 64650) of
9 Division 4 of Title 22 of the California Code of Regulations and
10 subsequently receives disinfection and complies with all applicable
11 department regulations before being used for domestic purposes.

12 (3) The water is discharged in a manner that allows percolation
13 into a subsurface groundwater basin for subsequent extraction
14 from groundwater wells under the influence of surface water that
15 receives treatment pursuant to Chapter 17 (commencing with
16 Section 64650) of Division 4 of Title 22 of the California Code of
17 Regulations and complies with all applicable department
18 regulations.

19 (b) The reservoir is operated in compliance with regulations of
20 the department.

21 (c) *The recreational use may be subject to additional conditions*
22 *and restrictions adopted by the entity operating the water supply*
23 *reservoir or required by the department, if those conditions and*
24 *restrictions do not conflict with regulations of the department, and*
25 *are required to further protect or enhance the public health and*
26 *safety.*

27 (e)

28 (d) The water stored for domestic purposes that may be excepted
29 from the requirements of subdivision (b) of Section 115825 is
30 removed from the reservoir by an agency for domestic purposes
31 only in San Luis Obispo County and only in an amount for which
32 that agency has a contractual right.

33 *SEC. 2. If the Commission on State Mandates determines that*
34 *this act contains costs mandated by the state, reimbursement to*
35 *local agencies and school districts for those costs shall be made*
36 *pursuant to Part 7 (commencing with Section 17500) of Division*
37 *4 of Title 2 of the Government Code.*

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